

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**MICHAEL ASAMOAH,**

**Plaintiff,**

**v.**

**PENNSYLVANIA HIGHER  
EDUCATION ASSISTANCE AGENCY,**

**Defendant.**

:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:

**Case No. 2:21-cv-4976**

**CHIEF JUDGE ALGENON L. MARBLEY**

**MAGISTRATE JUDGE JOLSON**

**OPINION & ORDER**

This matter is before the Court on Plaintiff Michael Asamoah's response (ECF No. 6) to this Court's Show Cause Order. (ECF No. 5). Defendant removed the above-captioned case to this Court on October 6, 2021. (ECF No. 1). On the same day, Defendant filed a Motion to Dismiss. (ECF No. 3). Soon thereafter, the Magistrate Judge Ordered Plaintiff to either: (1) comply with the requirements prescribed by this Court for vexatious litigators<sup>1</sup>; or (2) demonstrate that he is exempt from those requirements. (ECF No. 5). Additionally, that Order stayed briefing associated with Defendant's Motion to Dismiss and prohibited the parties from filing any subsequent motions until this threshold issue was resolved. (*Id.*). In response, Plaintiff argues that he is exempt from the vexatious litigator requirements because he has multiple law degrees, was a member of two moot court teams, and has demonstrated his ability to litigate against attorneys educated at the world's premier law schools. (ECF No. 6 at 1).

Plaintiff has neither complied with the requirements of this Court's vexatious litigator

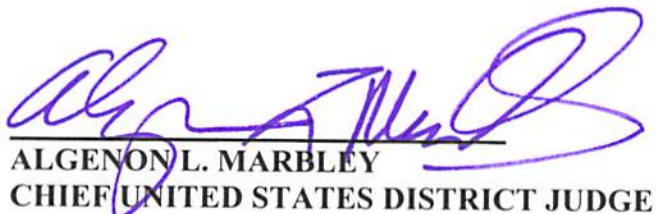
---

<sup>1</sup> "Mr. Asamoah is **DEEMED A VEXATIOUS LITIGATOR** and is **ENJOINED** from filing any new actions without either (i) submitting a statement from an attorney licensed to practice in this Court or the State of Ohio certifying that there is a good faith basis for the claims Mr. Asamoah seeks to assert, or (ii) tendering a proposed complaint for review by this Court prior to filing." *Asamoah v. Capstone Logistics, LLC*, 2:20-cv-6590, (ECF No. 26 at 6–7, Opinion & Order).

Order nor provided an adequate justification for exemption. First, Plaintiff failed to obtain a statement from an attorney licensed to practice in this Court or the State of Ohio certifying a good faith basis for his claims. (*See* ECF). He also failed to tender a proposed Complaint for this Court's review prior to filing. (*See id.*). Accordingly, he has failed to comply with the vexatious litigator requirements as ordered by this Court. Second, Plaintiff's offered bases for exemption either alone or in aggregate are insufficient. The first—that he has two law degrees—was previously considered and rejected. In *Asamoah v. Capital One Bank*, the Court explained that “receipt of a law degree does not exempt one from the Court’s vexatious litigator requirements.” 2:21-cv-4740, (ECF No. 21 at 1–2). Moreover, his second—Plaintiff’s assertion that he “has proven that he can litigate against ... Attorneys who graduated from elite law schools in the world”—similarly does not exempt him from the requirements set forth by the Court. (ECF No. 6 at 1). If anything, Plaintiff’s previous experience in this Court, which led to his vexatious litigator designation, proves fatal to his second basis for exemption.

Because Plaintiff failed to abide by the imposed vexatious litigator requirements or demonstrate exemption, the case is **DISMISSED WITHOUT PREJUDICE**. Accordingly, Defendant’s Motion to Dismiss (ECF No. 3), and Plaintiff’s Motions to Show Cause (ECF No. 6), to Remand (ECF No. 8), and for Default Judgment (ECF No. 10) are **DISMISSED WITHOUT PREJUDICE**. Any newly filed case shall comply with the vexatious litigator requirements set forth in *Asamoah v. Capstone Logistics, LLC*, 2:20-cv-6590, (ECF No. 26 at 6–7, Opinion & Order).

**IT IS SO ORDERED.**

  
ALGENON L. MARBLEY  
CHIEF UNITED STATES DISTRICT JUDGE

**DATED: August 26, 2022**